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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF CALIFORNIA  
NORTHERN DISTRICT**

Carl A. Wescott,

Plaintiff,

vs.

David Crowe; Mike Lyonette;  
Thomas P. Madden; Taylor Collins; Jeff Rau;  
Darrell Bushnell; Amy Bushnell;  
Peter Tierney; Kathy Fettke; Susie Yee;  
Norman Davies; Claire Davies; Sandra Winfrey;  
Brian Putze; Colin Ross; Brad Malcolm;  
Michael Jimenez; Gustavo Varela; Robert  
Crowe; Bernadette Brown; Federico Gurdian;  
Terencio Garcia, Does 1 through 50,

Defendants.

No: 3:20-cv-06456-JD

REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF MOTION TO DISMISS  
PLAINTIFF'S SECOND AMENDED  
COMPLAINT

Hearing Date: Thurs., July 1, 2021  
Hearing Time: 10:00 a.m.  
Courtroom: 11  
Judge: Hon. James Donato

Defendants David Crowe, Mike Lyonette, Colin Ross, Brad Malcolm, and Michael Jimenez ("Defendants") respectfully request this Court take judicial notice of the following in support of their Motion to Dismiss pursuant to Rule 12(b)(6). The exhibit is a list maintained by the Judicial Council of California. Thus, under Rule 201 of the Federal Rules of Evidence it is properly the subject of a request for Judicial Notice. Federal Rule of Evidence 201, states in pertinent part:

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Judicial Notice of Adjudicative Facts . . . (b) Kinds of facts. A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court; or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. . .

**Exhibit**

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**Description**

Vexatious Litigant List  
obtained from the Judicial  
Council of California

RESPECTFULLY SUBMITTED this 26<sup>th</sup> day of May 2020.

ROMERO PARK P.S.

By: /s/ H. Troy Romero

H. Troy Romero, CBN #224867

# Exhibit 1

VEXATIOUS LITIGANT LIST  
 From Prefiling Orders Received from California Courts  
 Prepared and Maintained by the Judicial Council of California  
 (Orders prohibiting future filings entered through September 1, 2020)

LAST NAME	FIRST NAME	MIDDLE	COURT	CASE NO.	DATE	COMMENTS
WATERS	B.	Benedict	Los Angeles Superior Court	WEC117069	03/30/93	
WATERS	B.	Benedict	Los Angeles Superior Court	WEC127394	03/30/93	
WATKINS	Michael	W.	San Bernardino Superior Court	VFLVS032196	10/20/05	
WATSON	Ruby		San Diego Superior Court	693308	01/26/96	
WEARY	LaColya		Los Angeles Superior Court	BC019253	10/31/91	
WEBB	Arthur		San Francisco Superior Court	CGC08480801	02/10/10	
WEBBER	Victor		Santa Clara Superior Court	1-01-FL-102682	12/12/14	
WEI	Claude		San Diego Superior Court	37201400010974CLUDC	07/10/14	
WEINER	Lawrence		Marin Superior Court	153501	08/06/92	
WEINER	Lawrence		Marin Superior Court	CV085041	11/10/08	
WEISS	Michael		Orange County Superior Court	30200900331535-PR-PW-CJC	08/16/17	
WEISS	Valerie	S.	San Diego Superior Court	695486	03/12/96	
WEITZMAN	Arin	Karol	Alameda Superior Court	RG08417951	01/27/09	
WELCH (J-07488)	Eugene	Everett	Amador Superior Court	09CV5842	10/15/10	
WELCH	Martha	M.	San Diego Superior Court	37201700007841CUCRCTL	12/19/17	
WELCH-BROWN	Gaye		Sacramento Superior Court	07AS01921	10/22/07	
WELLS	Dale	Scott	Sonoma Superior Court	SFL983906	03/30/00	
WELLS	Dale	Scott	Sonoma Superior Court	SFL951401	03/30/00	
WELLS	Frank		Los Angeles Superior Court	BC518694	07/17/14	
WELLS	Lorraine	Althea	Los Angeles (Beverly Hills) Muni	97U00788	10/30/98	
WELLS	William	G.	Court of Appeal, 2nd Dist, Div 2	B235019	12/12/12	
WELSH	Joyce	L.	Contra Costa Superior Court	D0500622	05/17/07	Order states specifics.
WELSH	Michael		Los Angeles Superior Court	EC10390	01/06/93	
<b>WESCOTT</b>	<b>Carl</b>	<b>A.</b>	<b>San Francisco Superior Court</b>	<b>FDI14781666</b>	<b>05/01/17</b>	
WEST	Anthony	E.	Los Angeles Superior Court	BC714698	09/26/19	
WESTIN	Bruce		Los Angeles Superior Court	YC053041	01/22/07	
WESTOVER	Heather	D.	El Dorado Superior Court	SC 20140146	11/09/15	
WETZEL	John	Louis	Los Angeles Superior Court	LC018140	01/19/93	
WHEELER	John	Frederick	Kern Superior Court	S1500CV264196	03/30/09	
WHEELER	Lorenzo		Los Angeles Superior Court	LC100357	04/17/14	
WHITAKER	Fred	A.	Alameda Superior Court	6873200	11/22/91	
WHITAKER	Fred	A.	Court of Appeal, 1st Dist, Div 4	A057347	05/06/92	
WHITE	Arin		Butte Superior Court	FL041159	01/26/12	
WHITE	Arin		Butte Superior Court	FL040850	01/26/12	
WHITE	Arin		Butte Superior Court	FL041076	01/26/12	
WHITE	Arin		Butte Superior Court	FL039776	01/26/12	

**PROOF OF SERVICE BY ELECTRONIC MAIL**

I, Kathy Koback, certify and declare as follows:

I am a citizen of the United States and a resident of the State of Washington. I am over the age of 18 years and not a party to the within-entitled cause. I am an employee with the law firm of Romero Park P.S., whose addresses are 16935 West Bernardo Drive, Suite 260, San Diego, California 92127 and 155 – 108<sup>th</sup> Avenue NE, Suite 202, Bellevue, Washington 98004, which is located in the county where the mailing described below took place.

On May 26, 2021, at my place of business in Bellevue, Washington, a copy of the attached document described as:

REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF  
MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT  
was sent via electronic mail pursuant to the parties' agreement for acceptance of service via electronic mail, and addressed to:

Carl A. Wescott  
8210 e. Via De La Escuala  
Scottsdale, Arizona 85258  
Email: [carlwsoj@gmail.com](mailto:carlwsoj@gmail.com)

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: May 26, 2021.

  
Kathy Koback, Legal Assistant